

Message Text

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TO SECSTATE WASHDC PRIORITY 5330

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AMEMBASSY TEL AVIV

C O N F I D E N T I A L IAEA VIENNA 10481

E.O. 11652: GDS

TAGS: IAEA, TECH, PARM, IS

SUBJECT: US-ISRAEL-IAEA TRILATERAL SAFEGUARDS
AGREEMENT

REF: (A) IAEA VIENNA 10407

(B) IAEA VIENNA 10074

1. MISSION HAS DISCUSSED WITH AGENCY DRAFT TRILATERAL AGREEMENT RECEIVED FROM AEC (WHICH WE UNDERSTAND HAS NOW BEEN CLEARED BY DEPT/AEC). TEXT TRACKS CLOSELY VERSION PREPARED BY STEIN IN ADVANCE OF EDEN'S DEPARTURE FOR TEL AVIV.

2. STEIN DID, HOWEVER, PROPOSE SEVERAL CHANGES IN US DRAFT WHICH IN HIS VIEW MIGHT BETTER SERVE US CONCERN THAT NEW TRILATERAL EMBODY CONCEPT OF OPEN-ENDEDNESS (PARA 3 REF A). SUGGESTED MODIFICATION AS FOLLOWS:

(A) SECTION 1 (C): STEIN ASSUMES THAT DEPT. HAS ASSURED ITSELF THAT PRESENT LANGUAGE WILL PERMIT INCLUSION OF NEW INSTALLATION, MATERIALS, ETC., WHICH MAY BE ADDED TO INVENTORY AS RESULT FUTURE US-ISRAEL
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BILATERAL. LAST ONE THIS SECTION MIGHT BE MODIFIED

TO READ "AS AMENDED OR EXTENDED, OR A NEW SUPERCEDING AGREEMENT FOR COOPERATION, AS AMENDED OR EXTENDED", THIS LANGUAGE LARGELY TAKEN FROM US-AUSTRIA-IAEA TRILATERAL.

(B) SECTION 8: FOR SAME REASON, WORDING MIGHT BE CHANGED TO READ AS FOLLOWS: "ISRAEL AND THE US SHALL PROMPTLY INFORM THE AGENCY OF ANY AMENDMENT TO OR EXTENSION OF THE AGREEMENT FOR COOPERATION, THE SUPERCESSION THEREOF OR ANY NOTICE OF TERMINATION GIVEN WITH RESPECT THERETO.

(C) SECTION 15: RECOMMEND SUB-PARAGRAPH (B) BE DELETED AS NOT APPLICABLE AND THAT SUB-PARAGRAPH (A) BE ADDED AS CONTINUATION OF PRECEDING SENTENCE;

(D) SECTION 19: SUGGEST FOLLOWING SENTENCE, TAKEN FROM SECTION 1F OF US-SOUTH AFRICA-IAEA TRILATERAL (GOV/1676) BE ADDED TO PRESENT TEXT:
"MATERIALS OTHER THAN NUCLEAR MATERIALS, EQUIPMENT OR FACILITIES LISTED IN CATEGORY 1 OF THE INVENTORY (OTHER THAN SUCH MATERIALS, EQUIPMENT OR FACILITIES TRANSFERRED IN ACCORDANCE WITH SECTION 14(B) OR 15), SHALL BE DELETED FROM THE INVENTORY AND AGENCY SAFEGUARDS BHEREON SHALL BE TERMINATED, WHEN AND AS THE AGENCY DETERMINES THAT SUCH MATERIALS, EQUIPMENT OR FACILITIES HAVE BEEN CONSUMED, ARE NO LONGER USABLE FOR ANY NUCLEAR ACTIVITY RELEVANT FROM THE POINT OF VIEW OF SAFEGUARDS OR HAVE BECOME PRACTICABLY IRRECOVERABLE."

(E) SECION 33: DELETE PHRASE IN SECOND LINE "AS EXTENDED OR AMENDED FROM TIME TO TIME" SINCE THIS ALREADY COVERED IN DEFINITION. SAME SECTION, CHANGE REFERENCE TO SECTION 10(A) (3) TO SECTION 10 (A) TO INCLUDE ALL OF CATEGORY I OF INVENTORY.

3. PLEASE ADVISE.PORTER

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